

Remarks

Concurrently Sending

Each of the claims now presented has language requiring concurrently sending packets over different network interfaces of a controller. Basis for this limitation is found in the application as filed at least at page 11 lines 3-10, and page 18, lines 13-16.

By contrast, Kitai does not even mention the word “concurrent”.

Section 112

The Office Action asserts on page 2 that Kitai teaches certain activities without firewall usage. Kitai does not contain the word “firewall”, but that does not mean the Office Action is wrong. In order to be a reference, Kitai must satisfy Section 112 requirements – a reference that is vague or non-enabling is not a proper reference. See, e.g., M.P.E.P. § 2121. Accordingly, by citing Kitai the Office Action presumes that a document which does not mention “firewall” can enable activities that occur “without firewall usage”. Applicants agree: in the absence of any reason to believe otherwise, a document that describes how to perform a particular activity without mentioning some X does indeed describe how to perform that particular activity without requiring X.

By the same reasoning, the present application satisfies Section 112 with respect to performing the claimed processes without requiring a firewall, because the application describes how to perform those claimed processes without mentioning firewalls.

The Office Action must be consistent. It must apply the same clarity and enablement standard to the present application document that it applies to prior art documents. If Kitai can be relied on to teach an activity “without firewall usage” by describing the activity without mentioning firewalls, then the present application can equally well teach its claimed activities “without requiring firewall usage” by describing those activities without mentioning firewalls.

Conclusion

In view of the above, Applicants submit that each of pending claims is patentable, and request their prompt allowance. The fact that this Amendment is silent as to any particular statement of the Office does not indicate agreement with that statement.

Previous arguments are not waived. Applicants also expressly reserve all arguments not made here.

The undersigned is available for a telephone conference at the Examiner's convenience.

Dated January 9, 2010.

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CERTIFICATE OF SUBMISSION

I hereby certify that this Amendment (RCE Submission), RCE Transmittal, and time extension are being submitted to the USPTO, through EFS-WEB, on January 9, 2010.



Respectfully submitted,



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